

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1074-01  
Bill No.: HB 785  
Subject: Health Care; Health Care Professionals; Medical Procedures and Personnel  
Type: Original  
Date: March 13, 2001

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None			
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None			
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 3 pages.

## FISCAL ANALYSIS

### ASSUMPTION

Officials from the **Department of Transportation**, the **Department of Public Safety - Missouri State Highway Patrol**, the **Department of Conservation**, the **Department of Insurance**, the **Department of Social Services**, the **Department of Economic Development - Division of Professional Registration**, and the **Missouri Consolidated Health Care Plan** assume this proposal would not fiscally impact their agencies.

**Office of Secretary of State (SOS)** officials state this proposal would outline procedures for the comanagement of patients by certain physicians. The Board of Healing Arts would promulgate rules to implement this proposal. SOS states that based on experience with other divisions, the rules, regulations, and forms issued by the Board of Healing Arts could require as many as 12 pages in the Code of State Regulations. For any given rule, roughly half again as many pages are published in the Missouri Register in the Code because cost statements, fiscal notes, and the like are not repeated in Code. These costs are estimated. The estimated cost of a page in the Missouri Register is \$23. The estimated cost of a page in the Code of State Regulations is \$27. The actual cost (\$738) could be more or less than the numbers given. The fiscal impact of this proposal in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded, or withdrawn.

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple proposals pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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### FISCAL IMPACT - Small Business

Small businesses would expect to be fiscally impacted to the extent they may incur additional administrative costs due to the requirements of this proposal.

## DESCRIPTION

This proposal would allow two eye care providers to enter into a surgical co-management arrangement for the purposes of providing some or all of the pre-operative and post-operative care of an eye care patient. The proposal would: (1) contain definitions which include "eye care provider," "ophthalmologist," and "surgical co-management." Eye care providers would be licensed ophthalmologists or licensed optometrists; (2) specify the conditions in which eye care providers can enter into a surgical co-management arrangement; (3) contain a provision pertaining to dividing the surgical fee between the eye care providers; (4) contain a procedure which would allow the patient to be referred for surgical intervention if necessary; (5) contain conditions which prohibit a surgical co-management arrangement from being established; (6) require that a patient be fully informed in writing of all aspects of the surgical co-management arrangement. The procedures and details pertaining to the disclosure would be specified; (7) require that the eye care providers in the surgical co-management arrangement establish a patient care protocol; (8) allow patients the right to refuse participation in the surgical co-management arrangement; (9) require that co-managing eye care providers communicate regularly and in a timely manner to patients regarding their care and progress; (10) contain actions which constitute violations of a surgical co-management arrangement; (11) require the Board of Healing Arts to notify the appropriate in-state and out-of-state licensing boards of offending eye care providers if it is determined that a violation has occurred; and (12) allow the board to develop rules to implement the provisions of the surgical co-management arrangement.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

## SOURCES OF INFORMATION

Department of Transportation  
Department of Public Safety  
Missouri State Highway Patrol  
Department of Conservation  
Department of Insurance  
Missouri Consolidated Health Care Plan  
Department of Social Services  
Department of Economic Development  
Division of Professional Registration



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Director

March 13, 2001